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**EASTERN INTERIOR ALASKA  
SUBSISTENCE REGIONAL ADVISORY COUNCIL**

**VOLUME I  
PUBLIC MEETING**  
March 1st, 1995  
Community Center  
6:30 o'clock p.m.  
Northway, Alaska

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**COUNCIL MEMBERS PRESENT:**

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**LEE TITUS, CHAIRMAN  
JEFF ROACH, SECRETARY  
CHARLIE TITUS, JR., MEMBER  
JOHN A. STARR, MEMBER  
RANDY MAYO, MEMBER  
SELINA PETRUSKA, SR., MEMBER  
CHARLES MILLER, SR., MEMBER**

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**Vince Mathews, Coordinator**

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(On record; 6:30 p.m.)

MR. LEE TITUS: I'm going to call the meeting to order.  
March 1st. Alaska -- vince to make a roll call.

MR. MATHEWS: Thank you, Mr. Chairman. Let me find the  
Dist. Okay. Lee Titus?

MR. LEE TITUS: Here.

MR. MATHEWS: Bill Fliris, he's absent. I believe he's  
a handler on a Yukon Quest team, so he may show up later.  
Seven Ginnis is also absent. Jeff Roach?

MR. ROACH: Here.

MR. MATHEWS: Charlie Titus, Jr.?

MR. LEE TITUS: He's on his way.

MR. MATHEWS: Okay. I believe he's on his way. Selina  
Petruska?

MS. PETRUSKA: Here.

MR. MATHEWS: Charles Miller, Sr.?

MR. MILLER: Here.

MR. MATHEWS: John Starr, Jr.?

MR. STARR: Here.

MR. MATHEWS: Randy Mayo?

MR. MAYO: Here.

MR. MATHEWS: Mr. Chairman, you have six out of nine,  
so you have a quorum.

MR. LEE TITUS: Thank you, Vince. At this time, we'll  
have the introduction of the Council members. We'll just start  
with Randy and go this way, I guess. Microphone. Microphone.

MR. MAYO: Randy Mayo, Stevens Village.

MR. STARR: John Starr from Tanana.

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1  
2 MS. PETRUSKA: Selina Petruska from Beaver.  
3  
4 MR. ROACH: I'm Jeff Roach from Tok.  
5  
6 MR. LEE TITUS: Lee Titus, Northway.  
7  
8 MR. MILLER: Chuck Miller, Dot Lake.  
9  
10 MR. LEE TITUS: And we'll have the agency staff to  
11 introduce themselves. We'll start with Vince and then  
12 everybody just stand up and say who you are and who you're  
13 working for.  
14  
15 MR. MATHEWS: I'm Vince Mathews. I work for Fish and  
16 Wildlife Service, Office of Subsistence Management out of  
17 Anchorage.  
18  
19 MR. JAN DICK: I'm Jan Dick with the National Park  
20 Service of Yukon-Charlie Rivers.  
21  
22 MR. DAVE YOKEL: Dave Yokel, BLM, Arctic District in  
23 Fairbanks.  
24  
25 MR. SANDY RABINOWITCH: Sandy Rabinowitch with the  
26 National Park Service and the Federal Subsistence Board for the  
27 Park Service.  
28  
29 MR. JOHN MORRISON: John Morrison, Fish and Game  
30 Department; Anchorage.  
31  
32 MS. TERRY EDWARDS: Terry Edwards with the Fish and  
33 Wildlife Service in Anchorage.  
34  
35 MR. GEORGE SHERROD: George Sherrod, Fish and Wildlife  
36 Service; Fairbanks.  
37  
38 MR. GUENTHER: Conrad Guenther. I'm with Fish and  
39 Wildlife Service Subsistence Division. I'm the regional  
40 biologist for this region.  
41  
42 MR. LEE TITUS: That's it? Oh, two more over there.  
43  
44 MR. BRUCE GREENWOOD: I'm Bruce Greenwood with the  
45 National Park Service; Anchorage. I'm with the Subsistence  
46 Division.  
47  
48 MS. JANIS MELDRUM: Janis Meldrum, National Park  
49 Service, Subsistence; Anchorage.  
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1  
2 MR. LEE TITUS: Thank you. And any other guests? We  
Have out of town guests. We'll start from the back row  
4  
5  
6 MS. SHERLENE JOE: Sherlene with Tetlin Council.  
7  
8 MR. DON ADAMS: Don Adams, Village -- for Tetlin  
Village.  
10  
11 MR. LEE TITUS: That's it, I guess, huh?  
12  
13 MR. JACOB LUKE: Jacob Luke from Dot Lake.  
14  
15 MR. LEE TITUS: Okay. Anybody from Northway  
want to....(laughter) At this time I'd like to ask Enna Albert  
to open us in prayer. Yeah, you can just stand there.  
18  
19 MS. ENNA ALBERT: Would you all stand?  
20  
Opening prayer)  
22  
23 MR. MATHEWS: Mr. Chairman?  
24  
25 MR. LEE TITUS: Yes.  
26  
27 MR. MATHEWS: I just want to emphasize to the public  
present here to make sure you sign that sign-in sheet that's  
change that's going around. So -- this is an excellent  
turnout, so we need to make sure that we record that. Thank  
you.  
32  
33 MR. LEE TITUS: Okay. Thank you. At this time we'll  
be going to have a moment of silence for Roy Otten. He was a  
Seward Peninsula Regional Advisory Council member. He died in  
a plane crash last December. (Pause) Thank you.  
37  
38 Next on the agenda is Council Members Concerns or  
Topics. I don't really know what -- maybe each Council member  
can just kind of like either talk about what they expect out of  
this meeting or anything pertaining to what they do on this  
Regional advisory council. Start with Randy.  
43  
44 MR. MAYO: Well, the last time when I came down here to  
the, there was -- we met on this C&T areas for these villages  
down this way and at that time it seemed like to me, well, I  
was just new on this board, and it seemed like the agency made  
the determination and, you know, I see a lot of local people  
here. And, you know, I'd like to see it come out of them  
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instead of agency. And for some of my concerns for up in my region, up along the Haul Road and the Dalton Highway Corridor, we're pretty concerned about the BLM's plans for, you know, expanding recreation areas, and also some -- a bill introduced to expand these development roads within our traditional lands there up on Dalton Highway Corridor.

7

MR. STARR: The last meeting we were down at -- that was my first meeting, too, at Tok and we're from the different region down there, and we know what's going on. We'd like to see what happens where we hunt and fish because we lived there all our lives. And there was no participation; the people that live in that area wasn't down there at Tok. And I'm glad to see that more people are here so they can make comments on -- this is their hunting ground and this is where they live and this is where they're going to live all the time. So, I think that I'm glad that we got more people here this time.

18

MR. ROACH: I too would like to express my appreciation for the turn-out we have here tonight. It's great to see people coming out and expressing their concerns and their interests about the way that fish and wildlife are managed in their area. I'd like to continue to look for ways to seek more public input from -- throughout the region. I know that it's difficult to travel. We're in a -- we have such a large area that we cover and people from a lot of different villages have concerns at each one of these meetings, and it's difficult for them to attend. And I'd like to see some ways to get more people involved in the meetings and the process.

30

One of the things that I'd like to have come out of this meeting is a serious look at the cooperative management plans that are being addressed right now, specifically the Mentasta Caribou Herd and the Fortymile Caribou Herd Management Plans. I think that that is the best way to see that all of the interests are addressed and that a cooperative management is the way to go so that people aren't worried about where they're hunting, whether on State land or Federal land or other lands, and they're not worried about having to have more than one permit and they're not worried about which season is open and which one is not. Let's make it as simple as possible and that way people are much more likely to understand the way things are being managed.

44

I would have liked to have received more comments from the Southcentral committee concerning their C&T determinations on the Kenai Peninsula, but I understand that they're still meeting now. And I hope that Janis will be able to present some of those tomorrow. You were there at the meeting,

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Janis,....

2

3 MS. MELDRUM: (Nods head.)

4

5 MR. ROACH: ....so maybe we can get some input from  
6 their council. And I am concerned with the overlap between the  
7 Southcentral Council and the Eastern Interior Council, when  
8 we're doing this first customary and traditional use  
9 determination, specifically villages like Mentasta and those  
10 along the Tok cut-off who may be affected by some of these  
11 decisions that we make concerning the C&T determinations,  
12 specifically in Units 11 and 12.

13

14 MR. LEE TITUS: Thank you, Jeff. As president of the  
15 Northway Village Council, I'd like to welcome all our visitors  
16 and I hope that if you have anything that you'd like to say,  
17 we're going to have a time set aside all day tomorrow and  
18 Friday. If anybody has any comments that they want to say,  
19 discuss, or if we're discussing certain subjects, we'll take  
20 time to take public comments on whatever we're discussing.

21

22 All this stuff is really strong in my heart when we  
23 talk about subsistence and when we talk about customs and  
24 traditions. The Federal and State agencies will not allow  
25 anybody in the State of Alaska to hunt or fish unless it's  
26 written into law. And when you're talking about subsistence,  
27 there's a lot of things in my culture and my tradition that's  
28 not written into law. Because if you write something down on  
29 paper, that's as far as you go, what's written on that paper.  
30 You can't go any further than what's written on that paper.  
31 And that's something that I can't live with. My forefathers  
32 never lived by anything that was written down on paper. And  
33 that's something that we'll have to understand and that's  
34 something that we'll have to deal with. Thank you.

35

36 MR. MILLER: I'm glad -- I'm also glad to see all you  
37 people out here. The C&T determination is something that I  
38 feel is very important to the future lifestyles of us and our  
39 families, and I'm glad to see so many people take an interest  
40 in it from this area. It makes me feel good to see all you  
41 people out there. Thank you.

42

43 MR. LEE TITUS: Next on the agenda is additions or  
44 corrections to the agenda. If -- I got a call yesterday from  
45 Fairbanks, this guy, I don't know, he represents the Borealis  
46 Forestry or something like that out of Fairbanks, and he asked  
47 for a little time on Friday afternoon. And our agenda has no  
48 time-table, so I think we can just put it in there. Put it  
49 under New Business somewhere. It'll be Borealis Forestry.

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1  
2 MR. MATHEWS: Mr. Chairman, it might fit better under  
Old Business since at the last meeting a letter was written and  
you guys discussed it. So it might go a little better under  
Old Business.

6  
7 MR. LEE TITUS: Okay. Under....

8  
9 MR. MATHEWS: It's up to the Council.

10  
11 MR. LEE TITUS: Put it under Old Business, No. 1. I  
don't know if we're going to get there before or after, but  
even if we get there before or after, we'll still have to work  
it out because he said he was going to be here for Friday  
afternoon.

16  
17 MR. MATHEWS: Mr. Chairman, there was -- I just would  
like to maybe discuss as a Council, we're noticing at other  
Council meetings that when we put looking at proposals to  
review at the end of the agenda, that sometimes there's not  
enough time to address them. So, I've been approached to see  
if maybe the Council wants to move that proposal review to a  
different time or just leave it as is, and make sure we have  
time. That would be under New business, number "D" as in  
Delta.

26  
27 MR. LEE TITUS: I think we can maybe set that portion  
of Federal Regulation Proposals for, let's say, 1:00 on Friday?

29  
30 MR. MATHEWS: Whatever the wishes of the Council are.

31  
32 MR. LEE TITUS: Or anybody else have any other ideas?  
Because I know some people were asking me when we were going to  
do it, and I think it'll be a good idea if we set a time when  
we're going to do the proposals because a lot of them might  
want to make comments on certain proposals that we were going  
to discuss.

38  
39 MR. ROACH: Do we have any other set times for agenda  
items?

41  
42 MR. MATHEWS: The only other set time we have is "I"  
under Old Business, update on the draft impact statement by the  
Air Force. They're going to be here Thursday afternoon at  
four, the colonel and staff, plus a representative from  
Biological Services. So, at 4:00 they're going to, you know,  
come in to do their presentation. It was hard to give them any  
exact time because of how much time is needed for the Upper  
Tanana C&T. Because that's the only other time we have a  
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commitment to at four and they've been told that 4:00 may move  
 either direction; you may take it up at 3:30 or 4:30, depending  
 on what issue is on the table.

4  
 5 MR. LEE TITUS: So, that was set, a time for  
 Thursday....

7  
 8 MR. MATHEWS: Yeah, Thursday at four.

9  
 10 MR. LEE TITUS: So anybody don't have no objections to  
 putting the Federal Regulations at 1:00 on Friday afternoon?

12  
 13 MR. MAYO: (Shakes head.)

14  
 15 MR. LEE TITUS: We'll put down the Federal Regulations  
 for one p.m. on Friday afternoon. Any other additions or  
 corrections or -- if not, the Chair entertains a motion to  
 adopt the agenda.

19  
 20 MR. ROACH: I move that we adopt the agenda as amended.

21  
 22 MR. LEE TITUS: It's been moved.

23  
 24 MR. MAYO: I second it.

25  
 26 MR. LEE TITUS: Second. Discussion? All in favor, say  
 aye.

28  
 29 ALL MEMBERS: Aye.

30  
 31 MR. LEE TITUS: Opposed? (Pause) Got an agenda.  
 Reading and approval of the October meeting minutes.

33  
 34 MR. MATHEWS: Mr. Chairman, I can either summarize the  
 minutes or you can take time to look at them. For the public,  
 here's copies of the minutes over there somewhere in those  
 files, it's more towards the left. But if there's not a copy  
 and you'd like to see one, I have some here that you would like  
 to see. That was the minutes of the meeting in Tok on October  
 40th through the 22nd at the Civic Center. So, I can either  
 summarize it or you can read it over. I did get a call from  
 one of the council members that did have a correction or some  
 kind of -- yeah, a correction. So, either way, I can summarize  
 it, read it into the record,....

45  
 46 MR. LEE TITUS: Okay.

47  
 48 MR. MATHEWS: ....let you read it.

49  
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1 MR. LEE TITUS: Yep. Kind of like summarize.

2

3 MR. MATHEWS: Thank you, Mr. Chairman. Try to  
 4 summarize three days into -- okay. I won't go over the guests  
 5 or who was there, but essentially there was quite a bit of  
 6 State and Federal staff there and there was representation from  
 7 Tanana Chiefs and from the Native American Fish and Wildlife  
 8 Society. There was orientation for new council members and  
 9 they were given a reference notebook. I'm just summarizing it  
 10 -- and copies are available. The minutes were approved for  
 11 February 3rd and 4th. There was election of officers. Lee  
 12 Titus was nominated and was elected Chair; Bill Fliris was also  
 13 nominated and there was a run-off election between Mr. Fliris  
 14 and Mr. Roach, and Fliris was elected as vice chair and Mr.  
 15 Roach was elected as secretary. There was a review of the  
 16 customary and traditional use determinations, statewide, and  
 17 then there was a review briefly of the Upper Tanana customary  
 18 and traditional use determination. Then there was discussion  
 19 about the Cooperative Fortymile Management Plan development  
 20 which was presented by Craig Gardner and Margo Mathews of the  
 21 Alaska Department of Fish and Game and there was some  
 22 discussion with public members about how that plan should go  
 23 forward.

24

25 Under that I was called by Mr. Roach, page three, that  
 26 failed to put in there that the Council appointed Jeffrey  
 27 Roach to be the Council representative to the Cooperative  
 28 Fortymile Management Plan. So I will need direction on that to  
 29 add that in. I thought he was appointed earlier than that  
 30 meeting, but I was corrected on that, so we'll need to address  
 31 that. Then we went into most of the day, the next day  
 32 discussing the Final Upper Tanana Regional Customary and  
 33 Traditional Use Eligibility Report and then we looked at -- or  
 34 Council looked at the presentation of proposed conclusions for  
 35 that. We'll just call it the Upper Tanana C&T Determinations.  
 36 When we got into Council deliberations and I won't go over  
 37 the -- well, I will touch on the overall comments because those  
 38 were my interpretation of what you said. So, hopefully, I  
 39 captured it. Number -- well, they're not numbered. One of the  
 40 comments was the Council had concerns about the proposed  
 41 community boundaries and the proposed 120-mile reasonable  
 42 distance for subsistence purposes. The Council, in general,  
 43 had concerns about the lack of public input at the meeting, the  
 44 limited time for public review for the proposed conclusion  
 45 report, and limited public review of the 120-mile distance and  
 46 proposed community boundaries. The Council wanted to know the  
 47 local Fish and Game Committee comments on the proposed  
 48 conclusion.

49

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1 Another comment, overall comment was, in general, the  
 2 complexity of proposed conclusions. The new Council members,  
 3 the lack of public participation, and the limited time exposure  
 4 of local users to the proposed conclusions made the Council  
 5 uncomfortable in developing comments, corrections, and support  
 6 for the proposed conclusions. There was discussion and a  
 7 review was provided of the history and regulatory background of  
 8 the National Park Service subsistence resident zone community  
 9 regulations and how they're established.

10

11 Then we'll get into Council actions which are on page  
 12 four. There was an action that was voted 7-1-0-1, which was to  
 13 have additional time for public review and involvement of --  
 14 well, actually I didn't put that in there. I'll need to --  
 15 that was additional review of the C&T process. The  
 16 justification: The public has not had reasonable time to  
 17 review this very important information. The Council desires to  
 18 submit suggestions/options for C&T conclusions to the staff  
 19 committee/Federal Subsistence Board. The nay vote was due to  
 20 the member's desire to provide the public/villages with  
 21 additional options to the proposed conclusions. Another  
 22 Council action was to have the additional information gathered  
 23 by public and village visits to be brought back to this Council  
 24 at the scheduled meeting in 19- -- the next scheduled meeting  
 25 1995. The Council approved an Option B which will be  
 26 discussed in length, but, essentially, the proposed conclusion  
 27 will provide all communities with positive C&T determinations  
 28 for all species in each unit with the exception of those  
 29 communities which completely receive a negative C&T for all  
 30 species with a particular unit, according to the information  
 31 found in proposed conclusion A. And I won't go down all that  
 32 because there will be a lot of discussion as the meeting  
 33 progresses.

34

35 Let's see here. There was a motion to oppose the  
 36 described community boundaries and the 120-mile formula used in  
 37 proposed conclusion, and that was based on local factors should  
 38 be taken into account for each area/community; a local solution  
 39 opposed to a formula approach for all lands. Then we  
 40 progressed to Old Business which was a review of regulatory  
 41 proposals and special actions. The Council reviewed  
 42 correspondence that was received to the Council since its last  
 43 meeting, and then there was discussion about the 1993 Annual  
 44 Report, and then you went into 1994 Annual Report. There was  
 45 discussion about the vacancy of a council seat and what process  
 46 was used in addressing that vacancy. There was discussion  
 47 about the status of navigable waters and fisheries management.  
 48 The "who" issue, the "where 1" and "where 2" issues that's  
 49 associated with, at that time, the consolidated case of Katie

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John. The Council looked at the NARC Petition, the Northwest Regional Arctic Regional Council Petition. There was an action By the Council to have the Council recognize, and recommends Approval of the NARC Petition. Correspondence from the Alaska Boreal -- I think it's Boreal Forest Council on potential Logging in the Tanana Region; that letter was provided and Discussion followed.

8

9 I can keep going Mr. Chairman. There's twelve pages. I'm more than willing to continue, but I'm not sure if it's -- please give me direction of what you would like.

12

13 MR. LEE TITUS: What are the wishes of the board, Council?

15

16 MR. ROACH: Mr. Chairman, I've had an opportunity to look over the minutes pretty carefully, and other than the one change, specifically for the cooperative management team issue, I didn't see anything that stuck out. I had a copy of the transcript available to me to go along with that. And I think unless other people need time to look at it and have specific concerns, that we should approve the agenda. I'm sorry, approve the minutes.

24

25 MR. LEE TITUS: Motion on the floor to adopt the minutes. We can stay here all night. Do you want to second?

27

28 MR. MILLER: Yeah, second.

29

30 MR. LEE TITUS: It's been moved and seconded. Discussion. Under discussion, did you mention you got a phone call on another part of the minutes that needed to be....

33

34 MR. MATHEWS: Yes, I did.

35

36 MR. LEE TITUS: Oh, that was the one....

37

38 MR. MATHEWS: That was....

39

40 MR. LEE TITUS: Is that the one Jeff....

41

42 MR. MATHEWS: Right.

43

44 MR. LEE TITUS: Oh, okay. All right. Motion to adopt the minutes as amended. It's been seconded. All in favor, say Aye.

47

48 ALL MEMBERS: Aye.

49

50

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1 MR. LEE TITUS: Opposed? (Pause)

2

3 MR. MATHEWS: Mr. Chairman, I need some direction on  
the minutes. Obviously, they were quite lengthy, but you did  
have a three-day meeting. Is that the appropriate style you  
would like or would you like it briefer or et cetera? I kind  
of need direction on that. I took the minutes as that they  
would stand alone. So, that's what made them the volume they  
were or are, so....

10

11 MR. LEE TITUS: Okay.

12

13 MR. MATHEWS: So, what does the Council feel about it?  
14 I'm willing to continue that format, but would like your  
advice. (Pause) Well, hearing no complaints, we'll continue.  
Thank you Mr. Chair.

17

18 MR. LEE TITUS: Old Business. A report of Federal  
Subsistence Board actions since the last Council meeting.

20

21 MR. MATHEWS: Mr. Chairman, if you look at Tab 3 in  
your book, and for the public, there are a couple of public  
table copies of this brown book if you'd like to take a look at  
that and try to follow along. There's also copies over there  
of the same material. If not, we'll provide you copies either  
by mail or by obtain them. Okay. If you look at under Tab No.  
27 that shows you board action since you last met and if I fail  
to bring something up we do have a staff committee member here  
that hopefully will raise his hand and correct me.

30 There's a chart under No. 3. You saw it at your last  
meeting. What you kind of need to know about it is that,  
again, in the far left column is the special action number  
which we use for tracking, but you'll notice as we progress  
through some of these issues that tracking number becomes the  
name of the issue. The next column over is the regions and  
harvest units affected; the next column to the right is summary  
of action requested; and then the tentative board meeting and  
board action is the far right column. The one that's of  
interest to you that you -- oh, let's see, that affects your  
area is on the last page which is S94-15 which affected Region  
91 Unit 12, and this was to announce the winter season for  
caribou in Unit 12 when the appropriate ratio of Nelchina to  
Montasta caribou are present. The board, on November 14th,  
1994, adopted a '94-'95 winter season of November 16th through  
December 16th, one bull caribou by Federal registration permit  
for rural residents of Tetlin and Northway only. That's the  
action that directly affected you.

48 Now, the board has met on other issues, but I think  
those issues will come up when we discuss the C&T process, the  
50

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customary and traditional use determination process. So, other than that, that's the actions that have happened since your last meeting.

4

5 MR. ROACH: Mr. Chairman?

6

7 MR. LEE TITUS: Go ahead.

8

9 MR. ROACH: Just a note on S94-07. We discussed that request by the Denali Subsistence Resource Council and the board did agree with our recommendation to that. So, just to let the Council know that they -- the board did agree with our recommendation on that.

14

15 MR. MATHEWS: Right. And that has come up again and again, and I did attend the Denali Subsistence Resource Commission meeting and they were appreciative of this Council's involvement and recognize that they will attempt as best they can to work seasons and harvest limits, the proposals that they have, through this Council. So they heard loud and clear this Council's desire to have their actions go before this Commission when it affects those areas. Other than that, Mr. Chairman, I'll leave the other board meetings, because I think they're going to come up in discussions during C&T.

25

26 MR. LEE TITUS: All right. Thank you, Vince.

27

28 MR. MATHEWS: I can go on ahead, if you'd like. We do have a commitment which we will honor, that at 8:00 there will be a time just set aside for people to comment and I'll just be-emphasize that if the public, as Mr. Titus has said, would like to comment on some of these issues, they just need to get the Chairman's attention.

34

35 Okay. The next item on the agenda is response to Council correspondence from the October 1994 Tok meeting. That comes under two tabs; that's under Tab 4 and then I'll walk you through Tab 5. So, Tab 4 is correspondence received and media coverage. Let's see, if you would look at Tab 4, I'll kind of just summarize real quickly into the record so then the public that's here - this is a great turnout - will understand better the issues that are before this Council and what importance you have in this process.

44

45 The Council received a cc, or a carbon copy, of a letter to Mr. Hensley, the Chair of the Federal Subsistence Board from Roy Ewan, the Chair of the Southcentral Regional Council, and this was dated December 1st, 1994. At their meeting - and I'm paraphrasing the letter - at their meeting in

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October 1994, the Southcentral Regional Council adopted a recommendation to the Federal Subsistence Board regarding customary and traditional use eligibility for moose and caribou in Unit 20 for rural residents residing between Milepost 216 and 239 of the Parks Highway. The Council requests that C&T finding be given a high priority by the board. Of the original 76 residents, some have died or retired and some have moved away, and now six residents remain. The Southcentral Council urged the board to give this request immediate and timely attention. And that letter was provided to all the members of the Federal Subsistence Board and the Eastern Interior Council as well as the members of the Southcentral Council. Are there any -- I'll just go letter by letter and if there's any questions by the Council, please stop me. Okay?

15

Okay. The next letter is from the Federal Subsistence Board. I'm trying to think who signed that. That is from the Chair, Mr. Hensley; it's dated December 1994. This will be discussed somewhat, I believe, when we get into C&T, but I will summarize it. This is to Mr. Roy Ewan, who is the Chair of the Southcentral Council. The Council had sent a letter to the Board about their dismay on the process and the time involved with the proposed C&T use determinations for the Kenai Peninsula. The Council felt that its recommendations were not given consideration in the proposed rule-making, and this leads members to wonder about the effectiveness and credibility of the regional council program. The letter goes on to say that the Southcentral Council is recognized as working diligently and closely with the staff and in documenting the historic and contemporary resource harvest patterns of the Kenai Peninsula. The regional council views were fully communicated throughout the Office of Subsistence Management and to the interagency staff committee and, at the initiative of individual staff committee members, to the Federal Subsistence Board. Through that process and dealing with the Kenai C&T, some policy questions arose; in particular, the board had never defined the time required for long-term consistent pattern nor had the Board offered guidance on the proportion of the community which must participate in a resource pattern for it to constitute a characteristic of community.

41

There was also a question by a member of the Southcentral Council asking about the program. The Federal Subsistence Management Program had a process for individual eligibility. Let's see. On November 2nd, 1994, the Fish and Wildlife Service offered a proposal to the staff committee and that proposal was intended to create a new form of flexibility in subsistence eligibility. From that and other aspects, it resulted in a questioning of the whole C&T process. So, there

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ended up -- throughout the process there seems to be two options or two viewpoints. One view is that the legislative history in key court cases indicate that subsistence eligibility at the general level is based solely on rural residency. The patterns of customary and traditional resource use are only relevant when resource populations decline and make it necessary to restrict all non-subsistence uses and make distinctions among subsistence users. Another view or alternative is the existing approach which is the one the Upper Tanana is closely tied to and also the Kenai Peninsula and the Copper River area, is that -- let's see if I can summarize this. The existing approach on the basis that these faithfully implement the intent of legislation and provide a meaningful priority for subsistence uses by focusing on communities where customary and traditional uses are characteristic of a community as a whole.

17

18 There's a lot in that letter and I don't want to miss something because you're going to be discussing, potentially discussing this tomorrow. The second alternative or viewpoint is that there was concern that severing subsistence eligibility from the link to customary and traditional resource harvest practices may result in more frequent Section 804 hunts. That means more like Tier II hunts which would impose new levels of administrative burden on rural residents and management agency. The board is committed to communicate with regional councils on the very difficult issues of customary and traditional use eligibility determinations and welcomes the frank exchange of views and the policy questions being raised. As some of the Council members may know, there was a meeting of the staff committee, the interagency staff committee with -- this is off the letter; I've completed that letter, but it follows into that last statement. There was a meeting of the interagency staff committee with a representative or chair of all the ten regional councils. Eight of the ten regional councils attended that and that was on the 13th and 14th of this month, and I believe Lee will throughout the discussion on C&T, will be discussing what he may have learned at that meeting. So, that completes the one letter that you received on December 19th, 1994. I would encourage the Council members, when you do have time to read that letter over, I just hit what I considered the high points.

43

44 Okay. The next letter you received a copy of was January 6, 1995. It was from the Department of Interior Fish and Wildlife Service to The Katchatag of Seward Peninsula Regional Council. And this letter is in response to the meeting with the three Chairs from Northwest, North Slope and Seward Peninsula and there are specific points there that this

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letter addressed that were discussed at that meeting. Point Number one is the appointment of a Native liaison for the Fish and Wildlife Service in Alaska. I'll just read the statement. 4 "The director of Fish and Wildlife Service has placed a high priority on establishing a full-time position despite 6 government cutbacks, decreasing budgets, and directives to 7 decrease the number of Federal employees." There should be an 8 announcement of that liaison position in the future. The 9 second point of the letter -- addressed in the letter is 10 Council involvement in development of a plan for the Fish and Wildlife Service Native American policy and that was notified 11 the Native American Desk in Washington, D.C. and -- waiting 12 see what they would respond to on that.

14

15 The next item is request for legal support for 16 councils. On that, if any councils require legal assistance on 17 specific issues, the matters can be evaluated singly as they 18 occur. The next item is additional funding for councils, and 19 put it all in a nutshell, there's no additional money for 20 councils at this time. The use of indigenous knowledge in our 21 reports: Since the establishment of the Federal Subsistence 22 program, the program has concentrated on hiring more Alaskan 23 Native and social scientists. The Cooperative Management 24 Agreements which we're not reviewing at this meeting, but we 25 did at the last meeting, are with some Native organizations and 26 are providing us with much improved understanding of 27 subsistence uses. The next item is Native employment. Job 28 announcements in the Fish and Wildlife Service office are 29 routinely sent to key organizations to ensure widespread 30 knowledge of the open position in the Native communities. 31 Tribal management: Essentially, they agreed to discuss this 32 matter with legal advisors in Washington, D.C., and have been 33 told by the Department of Interior that this jurisdiction 34 question will have to wait until decisions of the Venetie and 35 the Kluti Kaah case. And then Annual Report: It's the intent 36 of Richard Pospahala to ensure that the councils in this 37 particular case, the Northwest Arctic and Seward Peninsula 38 Regional Councils, receive written responses to their annual 39 reports.

40

41 That concludes the letter and I do want to point out 42 that in front of your book, I inserted, and hopefully it stayed 43 there, the response from the acting Chair for the Federal 44 Subsistence Board to your 1993 Annual Report. Okay. The 45 next letter -- you have a lot of letters. The next letter is 46 your Chair, Mr. Titus, and let's see, this is concerning the 47 request for a delay in publication of the proposed rule and 48 this acknowledges that the Federal Subsistence Board during its 49 November '94 meeting approved that. I think you can look over

50

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that letter yourself and see that and then verify that in the discussion under C&T that a brochure has been made, maps of the area are on the wall back there and that will be summarized when we get into the C&T process.

5

6           Okay. The next letter does not have a date on it. But, essentially, that's a follow-up letter explaining to Mr. Roy Ewan and the Southcentral Council the delay for the Upper Tanana C&T. The same with the letter to Frank Hotsminger, the Chair of the Upper Tanana. I won't summarize that unless you feel it's necessary because Janis and other staff will be going over probably background history and all that that's associated with that letter. And that brings us to the last item, unless there's a question. I just inserted an article that you may have seen or may not have seen. In "Tundra Times" on January 4th, there was an article done on the Federal Subsistence Board that talked very highly of the regional councils. So I'd encourage you to read that when you have time. So, that's correspondence that I know of unless, Mr. Chairman, have you received a letter concerning your resolution on factory trawlers? Did you ever receive a letter....

23

24           MR. LEE TITUS: From Anchorage?

25

26           MR. MATHEWS: Yes.

27

28           MR. LEE TITUS: You mean on the jurisdiction -- the question of jurisdiction?

30

31           MR. MATHEWS: No, it was a letter that Bill Fliris wrote a resolution asking for curtailment of factory trawlers on the open sea.

34

35           MR. LEE TITUS: Oh, yeah, yeah.

36

37           MR. MATHEWS: Did you receive a copy of that letter?

38

39           MR. LEE TITUS: Yeah.

40

41           MR. MATHEWS: If you could find that letter,....

42

43           MR. LEE TITUS: Okay.

44

45           MR. MATHEWS: Somehow or another, the staff didn't receive a copy of that and if....

47

48           MR. LEE TITUS: Oh, okay.

49

50

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1 MR. MATHEWS: ....you could, I would appreciate that.  
 2 Other than that, that's all the correspondence that I either  
 3 know of or heard rumor of.

4

5 MR. LEE TITUS: Now we're on to the Annual Report?

6

7 MR. MATHEWS: Sure, if my voice will hold out. The  
 8 Annual Report is under Tab 6 and you'll need to look at the  
 9 letter that I, at the last moment, inserted in front of your  
 10 book. I lost it. It's Tab 6. Just since we have such good  
 11 turnout here, it's important to point out what this Annual  
 12 Report and where it comes from. The Annual Report is required  
 13 as part of Alaska National Interest Lands Conservation Act in  
 14 Section 805 and it is an Annual Report and it's to identify  
 15 current and anticipated subsistence uses. And I'm paraphrasing  
 16 this: It's also to provide an evaluation of current and  
 17 anticipated subsistence needs. It's to look at a recommended  
 18 strategy for management of fish and wildlife populations within  
 19 the region to accommodate subsistence uses and needs. And No.  
 20 40 is recommendations on policies, guidelines, and et cetera, to  
 21 implement that strategy. The Council drafted a 1993 Annual  
 22 Report and you have a response to that in the front of your  
 23 book dated February 27, 1995. You also, at your last meeting  
 24 in Tok, charged me to draft a 1994 Annual Report which I sent  
 25 you in the mail earlier and, Mr. Chairman, I can either  
 26 assist you with reviewing the response to '93 or we can look at  
 27 '94 and see if '94 reflects your intent.

28

29 MR. LEE TITUS: The '94 from the Annual Report? The  
 30 1994 Annual Report?

31

32 MR. MATHEWS: Okay. Ninety-four? I don't believe I  
 33 provided any copies for the public. But, essentially, the  
 34 Annual Report acknowledges that the authority comes from ANILCA  
 35 and that the Council would like some guidance and direction  
 36 from the board, Federal Subsistence Board, and the Council  
 37 understands the importance of the Annual Report and desires  
 38 direction and guidance from the board of how to increase the  
 39 effectiveness of the report. The following issues is what I  
 40 was able to get from the transcript and from my notes that this  
 41 Council desired to have in there. One was the subsistence  
 42 fisheries and that was -- also dealt with a letter to Secretary  
 43 of Interior and Secretary of Commerce on December 14th, 1994  
 44 which you have received a response from the Secretary of  
 45 Interior via the regional director of Fish and Wildlife  
 46 Service, but I -- and I'm not sure if you received any letter  
 47 from the Secretary of Commerce, Mr. Brown. Well, it's not that  
 48 long. I think I can summarize it so the public can understand  
 49 what actions you took.

50

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1  
 2 At your last meeting, the Council expressed a deep  
 3 concern about the Yukon River salmon stocks because of the  
 4 recent 1993 closure of fall chum seasons both for commercial  
 5 and subsistence harvest for the entire Yukon River.  
 6 Subsistence users in the entire Drainage are concerned about  
 7 the continuing increasingly restrictive commercial and  
 8 subsistence fishing seasons and harvest limits. The health of  
 9 salmon stocks in the Yukon Drainage is very important to  
 10 subsistence lifestyle of Alaska's rural Native and non-Native  
 11 residents. Subsistence harvest is a major component of wild  
 12 foods harvested in Western Interior and Eastern Interior  
 13 Alaska. In some Middle and Upper Yukon River communities,  
 14 salmon harvests exceed 50% of the wild foods harvested. The  
 15 wasteful practices of factory trawlers in the Bering Sea  
 16 threaten the very core of subsistence lifestyle of many rural  
 17 communities of Alaska. The Council hopes the wasteful  
 18 practices of factory trawlers will be stopped and the health of  
 19 the salmon stocks improve. Our livelihood, culturally and  
 20 physically, depends on healthy Yukon River Drainage salmon  
 21 stocks. We hope you take action to protect our subsistence  
 22 interests." And then you guys added the resolution that you  
 23 adopted.

24  
 25 The resolution states: "Whereas the Eastern Interior  
 26 Regional Advisory Council is concerned with the health of  
 27 salmon stocks in the Yukon Drainage; and whereas it is well  
 28 documented that factory trawlers presently operating in the  
 29 Bering Sea for pollock are allowed a bycatch of other species  
 30 including salmon; and whereas it is also documented that a  
 31 large portion of those salmon (chum and chinook) are of Western  
 32 Alaskan origin . . . " now that should probably be eastern, "  
 33. therefore be it resolved that the Council would like to see  
 34 an immediate curtailment of this wasteful practice." You asked  
 35 also in the Annual Report a summary of Council actions and you  
 36 can see those before you. And then it closes with the  
 37 paragraph, "Thank you for the opportunity to participate in the  
 38 Federal Subsistence Program and to assist your board in  
 39 protecting the subsistence lifestyle of Alaska. The regional  
 40 Council looks forward to your response from the 1993 and 1994  
 41 Annual Reports." So that's your '94 report in draft form which  
 42 need your approval and corrections to. Yes?

43  
 44 MR. LEE TITUS: Did your office get a legal response  
 45 from this resolution?

46  
 47 MR. MATHEWS: That was the letter we talked about a  
 48 second ago, the letter that I believe you received from  
 49 Mr. Allen,....

50

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1  
2 MR. LEE TITUS: Okay.  
3  
4 MR. MATHEWS: ....that it mentioned like various fish  
5 stocks and mentioned quotas.  
6  
7 MR. LEE TITUS: Um-hum (affirmative).  
8  
9 MR. MATHEWS: I believe you got it.  
10  
11 MR. LEE TITUS: Yeah, I got it.  
12  
13 MR. MATHEWS: It surfaced in Huslia, and so I think you  
14 have a similar copy, but I....  
15  
16 MR. LEE TITUS: Oh, okay.  
17  
18 MR. MATHEWS: ....don't have a copy of it. But you  
19 did not receive to my knowledge, unless you did directly from  
20 the Secretary of Commerce. I think that one is still pending.  
21  
22 MR. LEE TITUS: But I think it stated what -- the  
23 letter, if I recall, stated that the regional council had no  
24 jurisdiction on navigable waters.  
25  
26 MR. MATHEWS: That is correct, and I believe it is in  
27 there. You do not have jurisdiction over that. But you have  
28 the latitude within your charge to address subsistence issues  
29 and that's what you were advised when this resolution was  
30 passed. But, again, the Council felt it was appropriate to  
31 take action on that. So I need an understanding if this '94  
32 Annual Report reflects what the Council would like and then if  
33 is, then I can go ahead and submit it. If there's additions  
34 that need to be made, then we can do that or if further time is  
35 needed on it, give me direction on it. But it would be nice to  
36 close this Annual Report out because the next meeting you're  
37 going to have, you're going to start your next Annual Report,  
38 ....  
39  
40 MR. LEE TITUS: Anybody have any comments?  
41  
42 MR. STARR: I cut out some articles from the "Daily  
43 News-Miner" about the trawler fishing out in the high seas. I  
44 mean, the trawler fishing. And now they say that June (ph)  
45 fisheries -- I think it was in -- I forgot where it was out  
46 there, that's intercepting our fishing that goes up the Yukon  
47 River. So, I've got it down there in my suitcase. I didn't  
48 bring it up, so I'll bring it up tomorrow because I've got some  
49 articles in there about it. You can see what they're finding  
50

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but now about this.

2

3 MR. MATHEWS: And, Mr. Chairman, I just need to state  
 4 for the record, again, your jurisdiction does not apply to  
 5 navigable waters.

6

7 MR. MAYO: Could you repeat what you said that, you  
 8 know, our jurisdiction -- this Council's jurisdiction does not  
 9 apply to navigable waters, but can we address it in some form  
 10 if there are -- in our regions, a lot of abuses of the, you  
 11 know, fish in the water, you know, within the refuge?

12

13 MR. MATHEWS: Mr. Chairman, Mr. Mayo, the issue of the  
 14 jurisdiction of this program, the Federal Subsistence Program,  
 15 before the 9th Circuit Court with Katie John. So, until  
 16 the 9th Circuit Court takes action on that, there's no  
 17 jurisdiction. And in reference to the refuge boundaries and  
 18 there within, it's still subject to navigable waters unless  
 19 there's a refuge person that can enlighten me further. But  
 20 it's still subject to navigable waters which is managed by the  
 21 State of Alaska, and we do have representatives with the State  
 22 of Alaska. (Pause) I will leave that to other individuals if  
 23 they have comments from the agencies, but until the Katie John  
 24 case is decided, the navigable waters issue stands as is.

25

26 MR. STARR: In other words, this resolution -- they  
 27 will do nothing with this resolution, then, to....

28

29 MR. MATHEWS: Well, they will not -- and I'm not  
 30 speaking for the Secretary; I'm interpreting what I understand  
 31 the information. An immediate curtailment of this wasteful  
 32 practice will not happen, but the question is when you start a  
 33 back down a hill, it gathers momentum. Your resolution was  
 34 adopted by the Western Interior Council. Your resolution was  
 35 provided to all the other councils. And when the other  
 36 coordinators heard of the letter of response from the Secretary  
 37 Interior, they wanted copies of that. So, yes, the  
 38 resolution did not come to the solution that this Council  
 39 desired, but it is showing that this Council and other councils  
 40 have an interest in fisheries.

41

42 MR. LEE TITUS: Maybe at this time, I noticed Keith  
 43 came in. At our meeting down in Anchorage, this issue was  
 44 discussed on the jurisdiction on navigable waters and I believe  
 45 you drew a map of the jurisdiction and then you make like a  
 46 never or something like that. Maybe you can explain to the  
 47 regional council the law as it is written right now.

48

49 MR. KEITH GOLTZ: I'll introduce myself again. I don't  
 50

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Have a very good throat right now, but I'm Keith Goltz from Anchorage, Alaska. I'm with the Office of the Solicitor, Department of Interior. Can anybody hear me?

4

5 MEMBER OF AUDIENCE: Yep.

6

7 MR. GOLTZ: All right. This is the map we used in Anchorage to talk about navigable waters. If this is the Federal land and this is the navigable water, what we end up with is a ribbon of jurisdiction through the Federal land and that's a State ribbon. So, if you are talking Federal jurisdiction you are here; if you're talking State jurisdiction, you're here. This is something that frustrates Federal managers no end and delights the State managers because it always gives them a handle on what's going on in Federal lands. This is -- it doesn't make a whole lot of sense to either the State or Federal managers in a lot of situations. Its regions are historical. It goes back to the way the original 13 colonies were put together and from there it goes all the way back to the way the English kings dealt with their rivers.

22

23 It is law that developed long before Alaska was even known to the outside world. We just have to accept it. The Katie John case would say that for the purposes of subsistence management, Federal jurisdiction would extend into that ribbon. That case is in front of the 9th Circuit right now. It's already been briefed and argued. The rumors are that the 9th Circuit is going to deal with that quickly. That's only a rumor; I don't know, but it's obviously an important part of the subsistence puzzle. But right now, nothing has changed. Right now the State manages the navigable waters; Federal government has the uplands and the non-navigable waters. What is navigable is a matter of great debate, but basically if you can run a boat up it, it's probably navigable. We've got hundreds of thousands of miles of streams in this state and we have only two real solid determinations: one on Slop Bucket Lake out in Iliamna and one on the Gulkana River.

39

40 There's a lot of questions obviously about where this line is, what you can do on the margins. Basically, what the Federal managers and I think most of the State lawyers also say is you have to use a little common sense, but this line, as a matter of law, is drawn at the high water mark. So, if you're on the brush, you're probably on Federal land; if you're on down below that, you're probably on State land. Are there any specific questions?

48

49 MR. LEE TITUS: John?

50

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1  
2 MR. STARR: What I can't understand, too, I've been in  
quite a few meetings, is the subsistence users use only three  
percent of fish and we're the ones that got cut off in '93 on  
the Yukon River, the Old Yukon River Drainage. And we only use  
three percent to fish for subsistence.

7  
8 MR. GOLTZ: It's a legitimate question and that's  
another one that's in front of the court. What has happened is  
that there were a dozen or so major subsistence cases filed.  
The Federal District Court in Anchorage consolidated them into  
eight and two of them are now in front of the 9th Circuit. One  
of the eight deals with this question: What happens if on the  
State land there's a barrier that blocks the fish from coming  
up this stream and entering this? If you could establish that  
there was a subsistence harvest up in this part of the stream  
and could also establish that it was blocked by some State  
action, maybe we could take action in that case. I think  
that's what you're leaning toward. But we would need real  
solid biological evidence. But that is going to be -- I think  
that issue is going to be decided at some point here.

22  
23 MR. LEE TITUS: Any more questions? Thank you, Keith.

24  
25 MR. MATHEWS: Mr. Chairman, then, taken by the lack of  
comments from the Council or public -- Jeff?

27  
28 MR. ROACH: Mr. Chairman?

29  
30 MR. LEE TITUS: Yes, Jeff?

31  
32 MR. ROACH: I move that we accept the 1994 draft of the  
Annual plan with a few minor word changes as mentioned earlier:  
Western to Eastern, and there are two words that can be  
deleted. But I can get with -- that do not change the Annual  
Report at all. They are just additional words that could be  
deleted and I can get with Mr. Mathews afterwards to delete  
those words. But other than that, I move that we accept the  
Annual Report.

40  
41 MS. PETRUSKA: Second.

42  
43 MR. LEE TITUS: It's been moved and seconded to adopt  
the Annual Report. Discussion? Hearing none, all in favor,  
aye.

46  
47 ALL MEMBERS: Aye.

48  
49 MR. LEE TITUS: Opposed? (Pause) Motion adopted.

50

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1  
2 MR. MATHEWS: Okay. Mr. Chairman, we'll just leave the  
Council to read the letter of February 27, 1995 in response to  
your '93 report. Is that okay or....

5  
6 MR. LEE TITUS: Did we adopt that....

7  
8 MR. MATHEWS: No.

9  
10 MR. LEE TITUS: ....'93 report at our last meeting or  
what?

12  
13 MR. MATHEWS: Yeah, you adopted it back in November of  
1993, and just got a response this February.

15  
16 MR. LEE TITUS: Oh.

17  
18 MR. MATHEWS: What's happening is the program and the  
Councils have to get in synch and it appears right now we're  
finally in synch. So -- which means that your....

21  
22 MR. LEE TITUS: Ninety-three?

23  
24 MR. MATHEWS: ....'94 report will probably get a  
response at the beginning -- into your next meeting and then  
you'll be drafting your report from there. And I think when we  
get to the agenda for your next meeting, I'm going to come up  
with some suggestions of how to take advantage of the Annual  
Reports and see if the Council would like to go with those.

30  
31 MR. LEE TITUS: Okay.

32  
33 MR. MATHEWS: So, I just need confirmation that you  
don't need the February 27th letter summarized, is all I'm  
really asking.

36  
37 MR. LEE TITUS: Oh, okay. At this time, I guess we'll  
take a 15-minute break and then we'll go into public comments  
if anybody wants to say anything. We'll come back in 15  
minutes.

41  
42 (Off record; 8:00 p.m.)  
43 (Mr. Charlie Titus, Jr. enters; joins Council table)  
44 (On record)

45  
46 MR. MATHEWS: Mr. Chairman, we need to clarify real  
quick here because some people have asked me about when you  
project starting tomorrow so people can kind of schedule their  
days, before we get into public testimony.

50

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1  
2 MR. LEE TITUS: Okay. Yeah, for the record, we have  
3 Charlie Titus, Jr. here from Minto present. Maybe we can throw  
4 that around, what time we're going to start in the morning.

5  
6 MR. ROACH: Mr. Chairman?

7  
8 MR. LEE TITUS: Jeff?

9  
10 MR. ROACH: I know that several people have to travel  
11 from Tok to get here for the meeting in the morning and I think  
12 that 9:00 would be a good starting time, in the morning.

13  
14 MR. LEE TITUS: All right. We'll start at 9:00  
15 tomorrow morning. And for the purpose of driving back to Tok,  
16 what time are we going to close down tonight?

17  
18 MR. MATHEWS: Well, Mr. Chairman, you know, the Council  
19 has a commitment to reasonably hear public comment. So I....

20  
21 MR. LEE TITUS: Right.

22  
23 MR. MATHEWS: ....think that might dictate your time.  
24, that's just an advice.

25  
26 MR. LEE TITUS: All right. We'll shoot for 9 or 9:30  
27 whatever. At this time, if there is anybody that has any  
28 comments or anything that they'd like to say, please step up to  
29 this mike and state your name and who you represent. Danny?

30  
31 MR. DONALD ADAMS: My name is Danny Adams, and I'm  
32 representing the Village of Tetlin. I'm the chief there. To  
33 start with, I'd like to -- my testimony has to do with the C&T  
34 report and it's been circulating here for a while. And our  
35 village feels like the C&T that has been circulating does not  
36 have our concerns addressed in there and we feel like that that  
37 should be researched more before it goes out to being accepted  
38 as a regulation. And we feel like it does not have any valid  
39 points right now. So, we are requesting that the board  
40 withdraw the packet off and try to get more reports done with  
41 local villages participating.

42  
43 To me, it feels like we're going back through  
44 inventing what has been in place for a while as far as  
45 subsistence issues has been built around for many years and now  
46 has a new terminology. And the terminology now is  
47 additional and customary use. I would like to make an opening  
48 comment, that I guess feel very privileged to come from a  
49 native tribe that has managed game for such many years in  
50

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History and, through the management, we're here addressing the issues. If we weren't properly managing our game back in early years, I guess we would have no issues today because we would have killed off all the animals.

5

6 The regulations to control the use and the protection of Alaska's fish and wildlife were developed without the focus or consideration of the people who needed this resource for survival. Consequently, the Alaska Native people have suffered; evidence of this can be seen in the Elders who are sick from beef and pork diets. And the high rate of welfare and general assistance is the primary source of income among Native groups. The cry for subsistence rights has been replaced by the cry for traditional and customary lifestyle recognition. Has anything changed? We are still being expected to fit our lives into the regulations that were developed without our people's needs as a primary focus. I want to cooperate with this new plan of development, but I want to suggest that we come together with a clean slate and construct regulations that focus on a group of people that need these regulations for their survival, not for the regulation of the group of tourism or pleasure-seekers that occasionally use borrowed land and the resource.

24

25 The Alaska Native people are trying to solve their own problems and this involves becoming responsible for their birthrights which are the land and wildlife on that land. I want to see my people make progress. I want them to become whole people again without living on public assistance programs, and I want to see the Elders look around with pride at our lands and feel the wealth again. That was theirs before regulations governed their diets and dedicated a way of living that was not in balance with the land or with the lifestyle of Alaska Native peoples. I am suggesting a new approach to this old problem of how to protect and preserve the land, fish, and wildlife from abuse. My suggestion is that we focus on the people who have traditionally survived

on the lands and resource and give less emphasis on those who borrow the lands and resource for pleasure and sports hunting.

40

Regulations are needed to inhibit the abuse of our lands, this is true, but these regulations should be sensitive to the needs of people who survive off the land. Again, I say we can work together on solutions to complex problems that exist today, but the framework of regulations that presently exist was not developed with us Alaskan people as a primary focus. To make progress in the area of preserving Alaska's traditional and customary lifestyles, we need to focus on the needs of Alaska Native people, not on the needs of tourists and sport hunters. These pleasure-seekers who occasionally venture

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but into the woods do not have to survive with the lands or eat the wildlife the way we do. Cooperation between all parties is needed to resolve these regulation problems. The time has come to stop dealing with Alaska Native people through regulations, but begin a new chapter in our history by developing regulations focusing on the respect of Alaska Native people and survival.

8

9 In conclusion the land that Upper Tanana Indians walk on is all traditional and sacred. Thank you.

11

12 MR. LEE TITUS: Thank you, Danny. Any board members have any questions? Anybody else want to testify or say anything? Maybe we'll get out of here early.

15

16 MR. MATHEWS: Mr. Chairman, you may want to repeat that your style and the Council's style is, throughout the whole meeting, that if have a comment or that, they can get your attention and comment.

20

21 MR. LEE TITUS: Yeah, we're going to -- public comments are not going to be just set for a set part of time like only for tonight. If there's anything that comes up tomorrow in our discussions, you'll have opportunities to make your comments throughout the day either tomorrow or the next day. So, if there's anything that you want to say or discuss or any questions you have for any of the staff members or the Council members, just kind of like raise your hand and get my attention. You'll be notified. So nobody else wants to say anything right now? If not, we'll go back to the agenda.

31

32 MR. MATHEWS: Okay. You have to go back to me again.

33 MR. LEE TITUS: Are we done with the....

34

35 MR. MATHEWS: We're done with the Annual Report section. We're now on E which is the status of navigable waters and fisheries which is a little bit more, but the Council needs to be aware of and may want to take action on. And I'll direct you to Tab No. 7 and under Tab No. 7, and there's copies over, for the public, on the table. They're either a bright yellow or they're in that same stack with the bright yellow, and that's a Federal Register notice which is asking for comment on the petition from the Northwest Arctic Regional Council and other Alaska Native groups requesting the secretaries initiate rule-making to (1) establish that they, meaning the councils, have authority to regulate hunting and fishing on non-public lands to protect subsistence priority afforded by Title 8 of ANILCA; (2) determine that lands selected by but not yet conveyed to Native corporations and the

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State of Alaska be treated as public lands subject to the subsistence priority in ANILCA. This is a Federal Register notice that comments can be submitted up until April 3rd and they are to be sent to Mr. Pospahala of the U.S. Fish and Wildlife Service in Anchorage.

6

7 Mr. Chairman, you have under Tab 7 that Federal Register notice. I can discuss some of the terms, but you also have a copy of the full petition attached to that. But I think the Council may want to discuss this petition and they have the option to comment. I can provide you background material on what the definition of what, like, public lands are and et cetera, and then also we can look further into the petition. (Pause) And if I remember correctly, at your last meeting you adopted a motion to support the NARC Petition, or the Northwest Arctic Regional Council Petition, already so you may want to reaffirm that or refocus on that.

18

19 MR. LEE TITUS: So, the comment period is -- the deadline is April 3rd?

21

22 MR. MATHEWS: Correct, Mr. Chairman, and anyone can comment on that. Obviously, unless really you need to, you're not going to be meeting again before April 3rd.

25

26 MR. LEE TITUS: I wonder if the majority of the public really understand what we're into right now. So, maybe you can give them a background and kind of make it more....

29

30 MR. MATHEWS: Make it more clear?

31

32 MR. LEE TITUS: Yeah.

33

34 MR. MATHEWS: Sure, I'll attempt that. Essentially, the petition, as I read it into the record, is saying that they feel that the Federal Subsistence Program should extend beyond Federal public lands. If you use the chart on the wall or picture on the wall, if that square or rectangle that Mr. Goltz drew was Federal lands, the first point of the petition is that the subsistence needs within that rectangle are not being met because of activities that are outside of Federal lands, this petition is saying the Federal authority should reach out and manage those resources. A very good example of that would be migratory caribou, as an example. No. 2 of their request -- and then I'll get into the definition of "public lands" which you do need to know, the standing definition. The "2" is to say that lands that have been selected by Native corporations and the State of Alaska under the Statehood Act that have not been conveyed should be considered Federal land, and if they're

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considered Federal land, then they would fall under the seasons and harvest limits and rules of the Federal Subsistence Program.

4

5       The definition of public lands in Section 102 of ANILCA is saying that public lands are land selections of the State of Alaska -- this is "except." It says public lands are defined in Section 102 of ANILCA to mean lands, waters, and interests therein that are situated in Alaska and to which the United States holds title, except for lands (1) selected by the State of Alaska and tentatively approved and, you know, they have not been granted to the territory; (2) lands selected by Native Corporations under Alaska Native Claims Settlement Act that have not been conveyed; and (3) lands referred to in Section 19(B) of the Alaska Native Claims Settlement Act, and I'd have to look that up. So, they're essentially saying that they feel the Federal Subsistence Program should not be limited to the land jurisdiction of the conservation units and that would include the Bureau of Land Management lands, and they're also asking that lands that have been overselected or selected by Native corporations and the State of Alaska but not conveyed, that they should fall under Federal jurisdiction and Federal control for subsistence uses. And the Forest Service and Fish and Wildlife Service are asking for public comment on that. And there may be others that can explain this clearer, but that is essentially it.

27

28       Other groups have taken this up, subsistence resource commissions have taken it up, other councils have taken up this petition. I'm not privy of what they did, but it is before all ten councils, and various village councils that I know of are looking at this Federal Register and the full petition to comment. They feel that this program should be limited to status quo of conservation units and not cover selected but not conveyed lands.

36

37       So, the options of the Council would be -- now, as you took your action at the last meeting and let me make sure I captured that correctly, but I believe you passed a motion. I don't think I'll find it here quick enough. Supporting -- let me check. Council action at the October 19th through 22nd, '94 meeting, the Council recognizes and recommends approval of the NARC Petition. The vote was 7 for, 1 against. The justification: The Council desires to have additional lands under Federal jurisdiction. The minority vote was due to the belief that the Council did not fully understand the intentions of the petition and what lands would be affected in what way. So, you have already taken action on this, but as your coordinator, it would make it easier if you took additional

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action either reflecting this or something else at this time so we can incorporate -- take advantage of the open comment period so make sure your comments are carried through.

4 MR. LEE TITUS: So in other words, you're asking for additional support?

6  
7 MR. MATHEWS: I'm not asking for anything. Your options are to do nothing; your other option is to reaffirm your earlier action; and another option is to further change your action. It's open to comment on. Before, it was exposure to you and....

12  
13 MR. LEE TITUS: Does everybody understand now what we're doing?

15  
16 MR. MAYO: Mr. Chairman....

17  
18 MR. LEE TITUS: Yes.

19  
20 MR. MAYO: ....I'd like to make a motion that we reaffirm the previous action as support for this petition. I mean is that what you just....

23  
24 MR. MATHEWS: Yes. The other -- if I -- I'm not trying to put words in your mouth, but it would be to reaffirm your earlier action and direct staff to draft a letter in response to this Federal Register, and that gives me marching orders to draft a letter and then go with that.

29  
30 MR. CHARLIE TITUS: Mr. Chairman, draft a letter in support of this?

32  
33 MR. MATHEWS: Correct. And that's what the Council did at the last meeting. But you may want to discuss this further. There's a lot of ramifications of supporting this petition.

36  
37 MR. LEE TITUS: Back further in the Federal Register over on, I don't know what page -- oh, the back side of the Federal Register, it says that the petition was submitted to the Secretary by Northwest Arctic Regional Council, Stevens Village, Kawerik, Incorporated, Copper River Native Association, Alaska Federation of Natives, Alaska Intertribal Councils, Rural CAP, and Dinyee Corporation. They all seek rule-making to reverse and/or clarify this position.

45  
46 MR. ROACH: Mr. Chairman, just a point of order, we have a motion on the floor without a second.

48  
49 MR. LEE TITUS: Oh. Motion on the floor.

50

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1  
2 MR. CHARLIE TITUS: I'll second the motion,  
Mr. Chairman.

4  
5 MR. LEE TITUS: It's been moved and seconded.  
Discussion.

7  
8 MR. ROACH: Mr. Chairman?

9  
10 MR. LEE TITUS: Yes.

11  
12 MR. ROACH: If I may, I was the dissenting vote at the  
fall meeting and I want to reaffirm my belief that there are  
points that the NARC Petition make that are good points, but I  
still believe that overall the petition is not a very good  
choice in that ANILCA addressed the subsistence issue when  
these conservation units were set aside and it specifically  
address in Section 102 the definition of what those Federal  
lands were. And these land selections by the State and by the  
Native corporations, in essence, are held in trust by the  
Federal government for the State and for the Native  
corporations. And to include those in Federal management of  
subsistence resources I think would be a mistake because, as a  
Federal trustholder, the Federal government should not impose  
the regulations that are imposed on the Federal lands on those  
lands that are not owned, potentially owned by the Federal  
government in the future.

28  
29 What I'm saying is, at this time the State regulations  
apply on those selected lands, the State of Alaska regulations  
apply on the selected lands, and they're considered State land  
and the same goes for the Native corporation lands. They are  
considered Native corporation lands until they are conveyed or  
until they are returned to the Federal government. And I just  
believe that it's wrong to impose these Federal regulations on  
those lands that are, as I say, State lands or Native  
corporation lands until they revert to the Federal government  
or are conveyed. And it's the Federal government that is  
processing these lands for conveyance and that authority was  
given under the Statehood Act for the State to have those lands  
and I'm not positive on this, but I believe it was under the  
Alaska Native Claims Settlement Act, Section 19(B) for the  
Federal lands. So, there is previous legislation that  
authorizes those lands to be selected and later conveyed prior  
to ANILCA, but the Federal government is just holding those  
lands in trust until that conveyance process is completed.

47  
48 We go on to the second part of the NARC Petition which  
states that -- okay, let me just gather my thoughts here for a  
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moment. The second point that I want to make is the Federal Government should not be allowed to make regulations that do not apply -- I'm sorry, that apply to non-Federal lands in the regulation of hunting and fishing. These non-public lands are managed by the agencies or the corporations that hold those lands and it's just my opinion that they should continue to manage the resources on those lands. And that's all I have.

8

9 MR. LEE TITUS: Danny?

10

11 MR. ADAMS: Yeah. Something....

12

13 MR. LEE TITUS: Danny, excuse me, please use the mike.

14

15 MR. ADAMS: Oh, I'm sorry. Something to think about, the statement that Mr. Roach is making. When you're trying to get identification under a C&T there, it's just contrary to what you're trying to do here, is what he's saying. You need to start looking at where do you draw the line on the Federal management and the State management here under your C&T report? Cause State don't accept your C&T. So, I personally believe that -- I believe just the opposite of it. I think that village corporation lands eventually might be reverted back to tribal status and when they do, then the C&T will take effect. The purpose of it is that we're trying to get identified from somewhere to be respected for our traditional rights. And by not supporting this resolution here is just contrary to what we're trying to do with the C&T.

29

30 MR. LEE TITUS: Thank you, Danny.

31

32 MR. MAYO: Mr. Chairman?

33

34 MR. LEE TITUS: Will you excuse me just a minute?

35 Sorry, Jeff, but were you done with your....

36

37 MR. ROACH: Um-hum (affirmative).

38

39 MR. LEE TITUS: Oh, okay. Go ahead, Randy.

40

41 MR. MAYO: Yeah, I'd just like to give my reasons for you know, my earlier statement. The reason we joined this petition, the Council -- you know, speaking as council chief, the lands around Stevens is really confusing and, you know, we're surrounded by refuge lands, Doyon, and a lot of the village corporation land hasn't been conveyed yet and we're right next to the Haul Road so there's BLM lands there, too. 25(D) West, you know, we've got really low moose population, you know, and also we're having a hard time with a lot of

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people coming off the Haul Road and, you know, going up the side streams and, you know, really trashing the place. And as it was mentioned earlier, you know, we, too, are thinking about turning over the corporate lands to the council. That's all I have to say.

6

7 MR. LEE TITUS: Do you have a comment, Charlie?

8

9 MR. CHARLIE TITUS: Yes, Mr. Chairman. The reason I seconded it is I thought a lot about -- looking over this and I think I understand where the Northwest Arctic came from. They have the similar problems with big game hunting. They have competition, we all have competition for subsistence rights. On our lands going into Minto on the road, on both sides are village corporation lands and they've been -- we have competition with the Fairbanks area. There has to be some way, a line drawn, there's some customary and traditional use. I think that's the main reason Schaeffer and these guys from the Northwest Arctic drew up this. They're trying to clarify customary and traditional use on these lands.

21

22 MR. LEE TITUS: Vince?

23

24 MR. MATHEWS: Mr. Chairman, I feel obligated to clarify what this would only apply to selected but not conveyed lands. Conveyed lands would still be considered private lands and would fall underneath State jurisdiction.

28

29 MR. CHARLIE TITUS: Well, the ones that are not selected?

31

32 MR. MATHEWS: The ones that are not selected, under this petition, would fall under Federal management. Just so it's clear to everybody that Native corporation lands that had been totally transferred are considered private and they fall under State jurisdiction.

37

38 MR. LEE TITUS: Does this petition, if it gets full support and is adopted, is it going to be a Statewide thing that's going to happen like now or is it talking about like if you're talking about resources, are they only talking about when the resources are in decline or low population of species and stuff like that?

44

45 MR. MATHEWS: You had a couple of questions in there. All go with the last one. Their petition is saying that in order to protect subsistence priority afforded to public lands, the Federal lands, that the Federal jurisdiction should go beyond that to protect it. So, it would be under a resource

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depletion situation. There's not enough to go around, per se. Or another way of looking at it would be to say that subsistence needs that have been identified under the Federal Subsistence Program are not being made -- met, I should say, and it's clear that there's another use that's conflicting with that.

7

8 Your other question, I don't have an answer for you on that. Your question was intimidating, and maybe someone else can help me, was intimidating that where does this -- what happens with all these comments? And if they're all in favor of this petition, what happens? Mr. Chairman, I don't know. I really don't know. Because it's obvious that it's addressing similar issues of the Katie John case and I won't discuss any more about that. So, I'm at a loss, so there may be someone else that has information. This was kind of like -- to me, I'm reading this as kind of like polling the public as to their feelings on this. That's how I read it.

19

20 MR. LEE TITUS: Any comments from the public on this issue?

22

23 MR. ADAMS: If you're going to vote on this issue tonight, I'd like you to take into consideration that all lands that are being held in trust by the Native corporations are eventually -- some will be returned to tribal members eventually. So, I really strongly urge you to support this type of resolution because even though lands that are not conveyed, even if they are conveyed, eventually it needs to get the support for C&T. Because all the lands even with corporate buildings are traditionally used by traditional people.

32

33 MR. LEE TITUS: Keith, if a corporation conveyed their land over to a Native village or an IRA-recognized Native council, does that change the status of it being public or non-public?

37

38 MR. GOLTZ: I think the answer to your question is no. Let me see if I can diagram it a little bit. This is Katie John. There is also a petition that is very much like the Katie John case and what that says is the animals don't go where they are on this map, so let's regulate them as if there wasn't any map. Katie John takes care of the waters. The petition takes care of this situation. Let's say you've got some BLM land out here and you've got a refuge here and you've got caribou that don't read the charts and they go where they've always been going. If this is State land in here, the way we have been regulating the past few years is that we'll make a Federal regulation for these animals when they're on the

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BLM land and on the refuge land, but when they're on the State land and they're under State regulations. And it's been sort of incumbent on all of us to try to cooperate and make those regulations as similar as we can and I think we've done that in more cases than we have not. But what this petition would say is don't look at the maps and the reason for the petition is this: It's all right here in front of you. You've got animals walking all over that map and I haven't met one yet that can read these things, so they go wherever they want to go and the regulations try to chase after them. And in theory, at least, it's a nightmare. On the ground, it really hasn't been that bad, but it could be a nightmare.

13

14 Now, what you're saying is, Does it make any difference  
15 an IRA council gets land that has been conveyed to a village  
16 corporation? And, presumably, it's the same land so it's the  
17 same square. And the answer is basically no, unless something  
18 else changes, but under present law that would be under the  
19 State jurisdiction so it'd stay where it is. Obviously, there  
20 more going on than that and people would like to make that  
21 different land and make that a reservation. But as of right  
22 now, no, it's still State land. But I'm not saying it will  
23 always be that way; that's the way it would be right now.

24

25 MR. CHARLIE TITUS: You're saying -- excuse me,  
26 Chairman. You're saying that all IRA lands are under the  
27 jurisdiction of State land, State authority?

28

29 MR. GOLTZ: Yeah, I think so. I think that all  
30 ultimately there are some people who would like to change that  
31 either through a co-management regime of some sort....

32

33 MR. CHARLIE TITUS: Unless you're on a reservation.

34

35 MR. GOLTZ: Or under a reserve type of arrangement,  
36 ah.

37

38 MR. LEE TITUS: The reason I ask that question is  
39 because, I don't know, way back, about 10 years ago, Minto  
40 adopted an alcohol ordinance and it was published in the  
41 Federal Register and in that it stated the corporation land is  
42 Indian country and it said that the Federal judge had -- as  
43 long as the village council agreed, was pushing to reinforce  
44 this ordinance. All the laws to reinforce this ordinance  
45 was -- the Federal courts had jurisdiction on the liquor  
46 ordinance.

47

48 MR. GOLTZ: Yeah, I know that's true. I don't know,  
49 John, do you want to jump in on this? It's a developing area  
50

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of law. I don't have all the answers on this one. I think that the State would look at this as State land whether it was in village corporation hands or IRA council hands. But maybe it's time for you to unwind here.

5

6 MR. JOHN MORRISON: I'm John Morrison, the State-Federal Subsistence Regulation Coordinator for the Department of Fish and Game. I can't really speak in detail as to the official policy that might exist in Juneau at this moment. But with the change of administration, I'm sure there's going to be some philosophies coming out of both the legislature as well as the governor's office that will probably affect how the State now proceeds with these questions. At the present time, the way that the State would see this situation that Keith has diagrammed, and in conjunction with what this NARC Petition would like to do, it would simply say that the Federal government should make all of that State land, including the little square for the Native ownership piece there, all fall under Federal hunting regulation, as has been designated for the refuge and the BLM. At this present time, of course, the State laws and regulations would disagree with that.

23

24 At the lower level where I exist of dealing with this kind of question, we've been working a lot with the Federal Subsistence Office in Anchorage trying to find some other ideas for resolving these differences. One idea that Keith mentioned is this co-management idea. We've also talked about these cooperative planning projects, and we've now advanced to the state where we would like to recommend that the Federal Subsistence Board and the State Boards of Game or Fish try harder to get the regulations for hunting seasons and bag limits more in line with each other and possibly even go to joint State-Federal permits or licenses for subsistence uses. And, in fact, one idea has recently come up about having just one regulation book which would have both State and Federal; the idea being, as long as we're stuck with this dual management situation, the least we can do is try to ease the burden of it by being a little more cooperative, a little more unified in how we approach these questions. The big stickler that that I see in a situation of co-management or a cooperative project like this is that the rural people are very concerned about the amount of non-subsistence hunters coming in and non-subsistence fishermen coming in on the areas of their concern. management of it. The State is still stuck with the responsibility of satisfying the entire Alaska public, both subsistence and non-subsistence, as qualified under present Federal regulations. So that trying to get to a truly joint operation that would encompass what this NARC Petition would

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like to see, we've still got to come to some understanding over what would be done about the non-subsistence Alaska residents that would like to use that area.

4

5 That's about as best as I can do right now, and I'm sure that as time goes by and the councils, as well as other interested parties, keep coming up with ideas on this that, surely, idealistically speaking, we might be able to figure out something yet that would ease the burden in all of this without having to go to so much litigation and petitions and all of these cross-points that get in the way. Thank you.

12

13 MR. LEE TITUS: Anybody has any other questions?  
14 Once?

15

16 MR. MATHEWS: Just a reminder, you have a motion that's been brought forth and seconded, and there's not a vote on that. And I still need clarification that that motion included a letter that would be drafted in response to this April 3rd reaffirming your action, your earlier October '94 action.

21

22 MR. LEE TITUS: Right. Was -- oh, you were asking the maker of the motion?

24

25 MR. MATHEWS: No, I'm just making you aware that there's still a motion on the floor that....

27

28 MR. LEE TITUS: Right, right. We're in discussion.

29

30 MR. MATHEWS: ....that needs a vote. Okay. Sorry.

31

32 MR. LEE TITUS: No more discussion?

33

34 MR. MAYO: I'd just like to....

35

36 MR. LEE TITUS: Wait, just -- go ahead.

37

38 MR. MATHEWS: Oh, sorry.

39

40 MR. MAYO: Mr. Chairman, I'd just like to comment, as the last speaker mentioned, until there is a solution to this mess, you know, that that is one of the reasons why we signed on to this petition, was because of the large amount of land that yet conveyed to the village corporation that's, you know, right up against the Dalton Highway Corridor.

46

47 MR. LEE TITUS: Okay. Gary?

48

49 MR. GARY THOMAS: Yeah, my name is Gary Thomas. I'm

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With the Village Council of Northway. The theory I got on the IRA or plot up there, is that -- you said that any conveyed land is State-regulated. Is that because the State wants access into the IRA land or is that something that the Council needs to keep in mind, is that years ago the State came in and asked the local people where's your best hunting area and that's what we plotted down, is what we selected. And now the only tool they can use to getting access to our land is by keeping it State-regulated. So, I support the petition of what you have now.

11  
12 MR. LEE TITUS: Thank you, Gary. Any more comments  
before we go on to a vote? Hearing none, all in favor of the  
motion, signify by saying aye.

15  
16 MR. MILLER: Aye.

17  
18 MR. LEE TITUS: Aye.

19  
20 MR. CHARLIE TITUS, JR.: Aye.

21  
22 MS. PETRUSKA: Aye.

23  
24 MR. STARR: Aye.

25  
26 MR. MAYO: Aye.

27  
28 MR. LEE TITUS: Opposed?

29  
30 MR. ROACH: Nay.

31  
32 MR. LEE TITUS: The ayes have it.

33  
34 MR. MATHEWS: Mr. Chairman, so....

35  
36 MR. LEE TITUS: Yes?

37  
38 MR. MATHEWS: ....that included a letter and that  
letter should minority opinion be also listed in that letter?

40  
41 MR. LEE TITUS: Um-hum (affirmative).

42  
43 MR. MATHEWS: Okay. Thank you. Mr. Chairman, again,  
I'm only giving advice, whatever, the next on the agenda is the  
status of cooperative management plans for Mentasta and  
Fortymile Caribou Herds. I'll leave it up to you to decide if  
that should be covered tonight or covered tomorrow. I  
believe -- I know staff is here for the Mentasta Caribou Herd.  
I'm not sure if staff is here for the Fortymile Herd. I

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should say that full staff, including State representation.

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3 MR. BILL ROUTE: Yeah. Craig Gardner is not here for  
the Fortymile and I'm not prepared -- really, I was going to  
give some -- have a screen presentation on Mentasta. If it's  
all right, I'd just as soon wait till tomorrow.

7

8 MR. LEE TITUS: Tomorrow morning? Six o'clock?  
(Audience laughter)

10

11 MR. MATHEWS: Mr. Chairman, you know, we can move  
around in the agenda if you desire or we can break for the  
evening. The next item would be, if you didn't deal with the  
cooperative plans, would be customary and traditional process  
statewide, but it might be better to do that all as a whole  
package, also.

17

18 MR. LEE TITUS: Yeah. I believe -- I don't know.  
What's the wishes of the Council?

20

21 MR. CHARLIE TITUS: Mr. Chairman, on the status  
reports, it seems like it will take some time for the reports,  
don't you think, on the Mentasta? I think I would like to  
listen to the agencies on their report. They can better  
educate me in this area, on the Fortymile Herd and also the  
Mentasta Herd. I've only read what you sent me so I would like  
to hear from the so-called experts on this, the people that do  
live in this -- if we do have any that live in this area. That  
probably would take us at least an hour or so before we....

30

31 MR. MATHEWS: Yes, and plus there's not staff present  
for the Fortymile Cooperative Process. It's the wishes of the  
Council where they would like to proceed. I would recommend  
saving the caribou herd plans for tomorrow, saving the entire  
customary and traditional use process for tomorrow, and that  
would leave us -- tonight we can deal with an update on  
requests for Council input on adequacy of area representation  
within the region.

39

40 MR. ROACH: Mr. Chairman, I suggest that we go -- we  
postpone F and G, items F and G under Old Business till  
tomorrow and then continue at item H tonight.

43

44 MR. LEE TITUS: Okay. Is that's the wishes of the  
Council? Then so be it.

46

47 MR. MATHEWS: Okay. On that, refresh my memory, but  
the last meeting in Tok, we brought up this issue that the  
staff committee had -- and the board had several proposals, I

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Believe, from the Kodiak area and Southeast asking for additional members to their council. The staff committee recommended that it go back, the idea of council make-up, go back to all the councils for their input and your Council decided that the present make-up and geographic representation on your Council was adequate. The staff committee and the Board will be taking these up at their meetings coming up in March and the board, in April, will be briefed on the adequacy of representation within the region. I'm not sure on the status of the requests from the councils to add additional members, but I believe those are still alive and have been submitted. If I can use that term, your sister or brother council, Western Interior, put in a request for alternates. They wanted two alternates so that if a member could not attend an alternate would substitute. I'm not sure what other councils have discussed on this. Well, I am sure on one. Kodiak-Aleutian Islands, I believe, is desiring to be split into two regions.

19

20 So, that's pretty much the status of it. It's before the staff committee for its March meeting and I believe the Board is going to be briefed on it at their April meeting.

23

24 MR. LEE TITUS: So, the request for alternates on the Western Interior, that's just where it's at, it's just at a request stage now?

27

28 MR. MATHEWS: Yes. They were requesting that their region which is somewhat similar to yours with a north-south axis, that it be divided in half and there be an alternate for the north part and an alternate for the southern part. They were concerned just like yourself, that when members can't attend, an area or areas within the region do not have representation. And so that was their suggestion and that's pending. That's just pending. So, that pretty much, unless there's other questions on the adequacy, it looks like you've exhausted what you can cover tonight.

38

39 MR. LEE TITUS: Okay. As far as the request, is there a time period on when their request will be....

41

42 MR. MATHEWS: No, I don't think so, Mr. Chairman. I think you do have a staff committee representative here, so he is listening. I think you could still take action, if you wanted to reduce the number of members, increase the number of members, go with alternatives or some other option. The staff committee meets in March. I would just have to get that before them. There wasn't a set deadline on it that I can remember.

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1 MR. LEE TITUS: Yeah, the reason I'm asking is I think  
 2 the alternate request is really a good idea, I mean, because a  
 3 lot of times it's really hard to get the majority of the  
 4 Council members at a meeting, you know, and I think if we have  
 5 at least a couple alternates, I think there will be -- it'll be  
 6 a lot better. I mean, I feel that the Council is more  
 7 effective when we're all present and I feel that we're strong  
 8 and we'll get things done. And when there's a couple members  
 9 not at the meeting, it kind of leaves me like we really didn't  
 10 accomplish what we can accomplish.

11

12 MR. CHARLIE TITUS: Mr. Chairman?

13

14 MR. LEE TITUS: Yes?

15

16 MR. CHARLIE TITUS, JR.: I think I do agree with Lee.  
 17 There are so many things in the -- this position is almost  
 18 voluntary. A lot of us do -- are employed and we have a hard  
 19 time getting away sometime. And also our areas are so big,  
 20 vast. You know, we're the biggest areas of Alaska and I think  
 21 we do need adequate representation when we do come to these  
 22 meetings because it's important. The customary and traditional  
 23 use on our lands is one of the most important things that we're  
 24 doing now today for all people in Alaska and on these Federal  
 25 and State lands. So, I think this is really, you know, an  
 26 important position to be on. I can't stress it more,  
 27 Mr. Chairman, that we need adequate representation at every  
 28 meeting.

29

30 MR. MATHEWS: Is that the wishes of the Council, that  
 31 the idea of alternatives be forwarded?

32

33 MR. LEE TITUS: Yeah, I believe so.

34

35 MR. MATHEWS: Okay. I take everyone's head-nodding to  
 36 the -- then I will....

37

38 MR. LEE TITUS: Do you need a motion or you can just do  
 39 ....

40

41 MR. MATHEWS: I just did it. Mr. Chairman, I did it by  
 42 the fact that I acknowledged on the record that everyone nodded  
 43 their head in the affirmative. I don't want you guys to get  
 44 too formal, but if there's a minority, I don't want them to be  
 45 walked over.

46

47 MR. LEE TITUS: Yeah.

48

49 MR. MATHEWS: That's all I'm doing with that,

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Mr. Chairman. You've exhausted the agenda to my assessment,  
unless you really want to jump way ahead into New Business.

3

4 MR. LEE TITUS: No, I think we'll call it a day. Okay?  
5 Is that all right? We'll recess till nine -- 6:30 (laughs) 9  
6 a.m. in the morning. Thank you all for coming.

7

8 (Off record; 9:15 p.m.)

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**MEETING ADJOURNED**

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